BEFORE THE STATE ADMINISTRATIVE TRIBUNAL, RAIPUR BENCH

O.A. No. _____/2001

APPLICANTS :

1. Bitan Mandal, Son of Shri Bibhuti Bhushan, Aged about 34 years, Govt. Higher Secondary School, Sukma, Block-Sukma, Distt. Dantewada.

2. Chamanlal Pujari, Son of Shri Parau Ram, Aged about 39 years, Primary School Durma Satti, Block-Sukma, Distt. Dantewada.

3. Smt. Premjyoti Joseph, Wife of Shri Siriyal Joseph, Aged about 46 years, Primary School Pusamipara, Block Sukma, Distt. Dantewada.

4. Dinanath Baghel, Son of Shri Shobha Ram, Aged about 34 years, Primary School Awaspara (Rampuram), Block-Sukma, Distt. Dantewada.

5. Goverdhan Nag, Son of Shri Rama Rao, Aged about 37 years, Boys Hostel - Kerlapal, Block-Sukma, Distt. Dantewada.

6. Jetti Nanaji, Son of Late Jetti Mutyam, Aged about 36 years, Primary School Mangipal, Block-Sukma, Distt. Dantewada.

7. Sharda Prasad Kutare, Son of Shri Pyare Lal, Aged about 39 years, Primary School Kokarpal, Block-Sukma, Distt. Dantewada.

8. Narsingh Usendi, Son of Shri Ratnu Ram, Aged about 38 years, Primary School Golabekur, Block-Sukma, Distt. Dantewada.

9. Aman Singh Netam, Son of Shri Mansha Ram, Aged about 37 years, Middle School Sonakukanar, Block-Sukma, Distt. Dantewada.

10. Piluram Mandavi, Son of Shri Shyam Singh Aged about 42 years, Primary School Nagaras, Block - Sukma, Distt. Dantewada.

11. Faguram Mandavi, Son of Late Bide Singh, Aged about 35 years, Primary School Mullaguda, Block - Sukma, Distt. Dantewada.

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12. Mohan Ram Netam, Son of Shri Jarhu Ram, Aged about 35 years, Girls Primary School Gadiras, Block-Sukma Distt. Dantewada.

13. Bishnu Kumar Teta, Son of Late Parau Ram, Aged about 37 years, Middle School Ramaram, Block-Sukma, Distt.Dantewada.

14. Smt. Ramula Mandal, Wife of Shri Bitan Mandal, Aged about 33 years, Middle School Patnampara, Block - Sukma, Distt. Dantewada.

15. Smt. Kalavati Dhruv, Wife of Shri D.P. Dhruv, Aged about 49 years, Primary School Patnampara, Block - Sukma, Distt. Dantewada.

16. Akal Singh Salam, Son of Shri Jila Ram Aged about 34 years, High School Korra, Block - Sukma, Distt. Dantewada.

17. Kishan Kumar Negi, Son of Shri Hari Singh, Aged about 36 years, Govt. Higher Secondary School Sukma, Block-Sukma, Distt. Dantewada.

18. Chintaram Netam, Son of Shri Fagu Ram, Aged about 33 years, Primary School Borguda, Block-Sukma, Distt. Dantewada.

19. Ku. Satyavati, D/o Late Gurram Penta, Aged about 40 years, Primary School Patnampara, Block-Sukma, Distt. Dantewada.

20. Sonadhar Manjhi, Son of Late Mansingh, Aged about 37 years, Primary School Kakdiama, Block-Sukma, Distt. Dantewada.

21. Krishna Lal Khargiha, Son of Shri Chhattar Singh, Aged about 38 years, Middle School Jhapra, Block-Sukma, Distt. Dantewada.

22. Smt. Tulsa Bai, Wife of Shri P. Das, Aged about 37 years, Girls Hostel No.2 Sukma, Block-Sukma, Distt. Dantewada.

23. Vijay Kumar Gupta, Son of Shri B.P. Gupta, Aged about 34 years, Middle School Sonakukanar, Block-Sukma Distt. Dantewada.

24. Pradeep Kumar Mistri, Son of Shri Prafulla Kumar, Aged about 37 years High School Korra, Block - Sukma Distt. Dantewada.

VERSUS

1. STATE OF MADHYA PRADESH, Through the Secretary, Tribal Welfare Department, Bhopal (M.P.)

2. THE STATE OF CHHATTISGARH, Through the Secretary, Tribal Welfare Department, Raipur (C.G.)

3. THE COMMISSIONER, Tribal Welfare Department, Bhopal (M.P.)

4. THE COMMISSIONER, Tribal Welfare Department, Raipur (C.G.)

- NON-APPLICANTS

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNALS ACT, 1985

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HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (s) No. 4432 of 2005

Petitioners		Bitan Mandal & others
	Versus	
Respondents		State of M.P. (Now Chhattisgarh) & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Present: Shri P.P. Sahu, Advocate for the petitioners.
Shri V.V.S. Moorthy, Deputy Advocate General for the State/respondents.

ORDER

(Passed on 12th day of December, 2006)

The following order of the Court was passed by **Satish K. Agnihotri, J.**

1. The petitioners were appointed as Assistant Teacher, wherein, it was provided that the petitioners would be granted pay scale of Rs. 545-10-575-15-800-20-900-25-975/-, after a period of one year. It was further provided that the petitioners would be entitled to the fixed pay of Rs. 300/- for a period of one year.

2. Similarly situated employees had approached the Madhya Pradesh State Administrative Tribunal. The Tribunal passed the order on 24.8.1992 in O.A. No. 2745 of 1989 (Madhukant Yadu and 56 others Vs. State of M.P. & others.)

3. It was further held that the said benefit would be given to all teachers and they should not be compelled to approach the Tribunal for similar benefit individually or collectively.

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4. Being aggrieved, the then State of Madhya Pradesh had filed the Special Leave Petition (Civil) No. 6892/93 impugning the order dated 24.8.1992 passed by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A. No. 2745/89. The Hon'ble Supreme Court after hearing learned counsel for the parties, dismissed the Special Leave Petition and having regard to the large financial implications, granted one year's time to settle the claim for the arrears without interest vide order dated 3.1.1994. It was further observed that the intervention would work out their rights in accordance with law. This order dated 24.8.1992 passed by the Tribunal in O.A. No. 2745/1989 is applicable to the petitioners being similarly situated and they are accordingly entitled to the same benefit.

5. For the above stated reasons, the petitioners are granted liberty to make a representation to consider the cases of the petitioners if it stand on the same footing as per order dated 24.8.1992 by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A. No. 2745/89 (Madhukant Yadu and 56 others Vs. State of M.P. & others.) and subsequently confirmed by order dated 3.1.1994 passed by the Hon'ble Supreme Court in Special Leave Petition (Civil) No. 6892/93 and grant relief accordingly.

6. The writ petition is accordingly disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur